

Exhibit A

Comparison by Examples between U.S. Pat. No. 6,336,862 (Byrne) and
U.S. Pat. Application No. 09/487,962 (Speck)

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Of central importance of my invention is real iteration, which is not possible with Byrne's invention. Moreover, Byrne does not describe betting against each other. Consider the following examples:

EXAMPLE 1A: Speck, First Round, Different Events

Smith, Jones, Merton, and Without-Chance are candidates for the presidential election in year 2004. Here, each candidate is seen as a different event. In the first round, one year before the election, bets are placed on these four different events, i.e., one million dollars on Smith, one million dollars on Jones, one million dollars on Merton, and \$10,000.00 on Without-Chance.

The quotes are:

Smith:	0.332226
Jones:	0.332226
Merton:	0.332226
Without-Chance:	0.003322

(total 3,010,000 shares per event)

If you bet on Smith, you pay \$0.332226 for each share. In case he wins the election, you get \$1.00 for each share ($0.332226 + 0.332226 + 0.332226 + 0.003322$), about three times the amount you had paid ($1/0.332226$). Notice the winning money comes from other events ($0.332226 + 0.332226 + 0.003322$). Notice also, should Without-Chance wins, contrary to all expectations, the person who bet on him would receive a much higher *gain*: 301 times the stake ($1/0.003322$).

EXAMPLE 1B: Byrne, Simple Principle, No Gain

Removing additional things like taxes, which do not add to betting itself, all equations in Byrne follow the principle:

Money / Number

See, col. 3, lines 1-5, "Total Super keno Jackpot / Total number of Super keno entrants".

Again, one year before the presidential election, one million dollars are placed on Smith, one million dollars on Jones, one million dollars on Merton, and \$10,000.00 on Without-Chance. Smith wins the election. The amount of one million dollars is shared among the participants who bet on Smith. The two million and ten thousand dollars on Jones, Merton, and Without-Chance are not distributed, and, hypothetically, could go to the house [col. 2, lines 27-29]. Thus, applying Byrne's simple principle to the example above you will get \$1 for every dollar in return and not gain any additional amount. This explains the need for a Starter Jackpot (seeding from the house) in Byrne [col. 3, line 59].

Furthermore, for every dollar placed on Without-Chance, you also get one dollar in return. Even though the odds on the candidates are different and the bet amounts are different, the gain is the same, i.e., zero.

Since Byrne's invention does not lead to betting against each other, a corresponding modification would not have been obvious.

EXAMPLE 2A: Speck, Iteration with Fresh Money

After one week, a second round takes place. Smith has made an election pledge and becomes very popular. His survey numbers rise. This time, two million dollars are placed on Smith, one million each on Jones and Merton, and \$10,000.00 on Without-Chance.

Now the new quotes are:

Smith: 0.498753

Jones: 0.249376

Merton: 0.249376

Without-Chance: 0.002494

(number of newly issued shares: 4,010,000 for each event)

If you bet on Smith in this round and Smith wins the election, you would get only twice the amount you paid, because the situation has changed, and with it the odds. Investors who bet on the other candidates (events) would get more money correspondingly.

In this way, changed quotes behave like a market, which takes into account the fact that conditions have changed.

EXAMPLE 2B: Byrne, No Iteration, No Adjustment to Real Life Changes

This time, two million dollars are placed on Smith. However, since the one million dollars from the participants of the first round must be added, there are now three million dollars in the jackpot. Every participant in the second rounds gets \$1.5, if they bet on Smith and Smith wins (independently from the number of participants). Participants in the first round are not considered, i.e., they do not get paid at all, even though they made the right forecast.

A fact worth mentioning is that, in Byrne, there are no real life factors that may influence the outcome of the event. Keno players bet on numbers, not real life events. Odds do not change. Situations do not change. In this example, therefore, two million dollars are randomly placed on Smith based on chance, not on supply and demand principles.

Byrne's invention thus does not allow the addition of money in the sense of real iterative betting (changing of odds as the result of market forces). As such, a corresponding modification would not have been obvious.

EXAMPLE 3A: Speck, Iteration with Fresh Money and Profit Taking:

One week later, the third iteration takes place. Smith remains popular. Again, two million dollars are placed on him, and again one million dollars each on Jones and Merton, and \$10,000.00 on Without-Chance.

This time, however, some people who had bet on Smith think Smith's popularity has reached a peak. They want to realize profits by selling the shares that they had bought in the first round, say, a total of 1 million shares (about one-third).

Now the new quotes are:

Smith: 0.437386

Jones: 0.279907

Merton: 0.279907

Without-Chance: 0.002799

(total 3,572,613 new shares for each event)

The amount placed on Smith is, in fact, the same as in the previous round. However, because of the redemptions of so many participants the total estimates for Smith have declined.

Withdrawn investors who return their "Smith" shares earn 32% on their investment ($0.437386/0.332226$). This gain is smaller, compared with waiting for Smith's final victory, but it is achieved after two weeks, or 11.5 months before the election.

EXAMPLE 3B: Byrne, No Early Withdrawal

Since withdrawal is not educible, a corresponding modification is not possible.

In sum, Byrne is patently distinguishable from my invention and it would not have been obvious to modify Byrne's invention so as to fulfill the tasks of my invention. It is mathematically impossible to do so.